

1888-004 Chancery Causes: Wheeler & Ball vs. Robert E. Crockett
Lee Co.

Wheeler, Ball

CA-Debt
T-Property

To the Hon. H. S. K. Morrison Judge of the Circuit
Court of Lee County Virginia:

Humbly complaining your Orators James M.
Wheeler and Moses S. Ball late Merchants and
partners in trade under the firm name of Wheeler & Ball
would respectfully represent, that on the 31st day of June
1887 they obtained a judgment at law before J. B. Tenney
Justice of the peace for said County against one Robert B.
Brockett for the sum of \$80.82 with legal interest thereon
from the 23rd day of February 1881 till paid and the cost am-
ounting to \$1.00 and this original judgment, and the note
or bond on which it was rendered is herewith filed as
a part of this Bill marked (A)

Your Orators further state that on the 13th day of Sept^r 1885
One J. H. Woodson also obtained a judgment at law before the
same Justice of the peace against the said R. B. Brockett for
the sum of \$25.65 with legal interest thereon from the
8th day of April 1885 till paid and the cost amounting
to \$1.25 and this original judgment is herewith filed
as a further part of this Bill marked (B)

Your Orators state that by a writing endorsed on said judgt,
dated Sep 25 1886 said J. H. Woodson assigned said last named
judgment to W. G. Balsom and by a like writing dated
Augt 31st 1887 said Balsom assigned the same to your
Orators for value recd. so that your Orators are now the
owners of said judgment at law.

Your Orators state that each and every part of said
two judgments at law is now due and owing to them
no part of either ever having been paid by said Brockett or any
one for him.

Your Orators state that said Brockitt does not own any personal property out of which said judgments or any part thereof could be made, but they state that he is the owner of a valuable tract of land on which he now lives lying & being in said County of Lee about 3 miles east of Cumberland Gap containing 150 or 200 acres the rents and profits of which will in five years time pay said two judgments at law.

Your Orators are advised that said judgments operate as liens on said real estate, and that the rents and profits thereof are liable to be taken and applied by a court of equity to the payment thereof and to obtain that end is the object of this bill;

The premises considered your Orators pray that said R E Brockitt be made the deft. hereto and be required to answer the same fully on Oath, and upon a hearing a decree be rendered in favor of your Orators against said Brockitt for the aggregate amount of said two judgments and interest & costs the costs of this suit and that said defendants said real estate be decreed to be sold out for the shortest space of time that the same will yield the requisite sum, and for all general relief May the Commonwealths writ of Habeas Corpus issue directed &c.

Henry J. Morgan for Petors

80.82

1.00

25.65

1.25

118.72

Clerk \$6.36
\$ 50
At 15.00
\$ 21.86

Wheeler & Ball H. J. M.

at } Bill to Enforce Just Lm

Robert E. Crosscut

1887 Nov. Bill filed.

Spa Exd & D. Chis

" Decr. D. W. Confd &
Cause set for hearing.

888 Apr. Decree final

Wheeler Ball

vs.

Robert E. Brackett

Deft

Deft

In Bly

This cause came on again to be finally heard on the papers heretofore read therein, and the report of Court Morgan dated and filed in the cause Feb. 7 1888 showing the manner in which the parties had mutually settled the debt interest and cost between themselves, and was argued by counsel, and the said report being unaccepted to. On consideration of all which it is adjudged ordered and decreed that the said report be confirmed, and the parties are hence discharged and the cause stricken from the docket.

Whelan & Bull

no. } Decree No. 2. final
}

Robert E. Crockett
Entered Chapp
O B page 115-
Dyatt & Co

Entered this
April 3rd 1888
H. A. K. M.

Whelan & Ball

Peffs

vs.
R. E. Crockett

Deft

In Chy

This cause came on this day to be heard on the bill of the Peffs and exhibits therewith taken for confessed by the deft. Crockett & was argued by counsel. On consideration whereof it is adjudged ordered and decreed that the Peffs recover against the defendant R. E. Crockett \$108.72, with legal interest at \$88.82 from the 20th day of Feb. 1881, and the like interest at \$65.65 from the 8th day of April 1880 till paid and the costs of this suit, and unless said sum above decreed the Peffs & costs be paid them within 20 days from the rising of this court, then it is further adjudged ordered & decreed that the defendants real estate be sold out for the shortest length of time that the same will yield the requisite sum, and that the same be sold out at Public Auction to the highest bidder at the front door of the Court House of Lee County on some Court day after the same shall have been advertised 30 days prior thereto, showing time, terms & place of selling. At said selling so much cash as will pay the costs of suit and leasing will be required in hand and as to the residue the same shall be made payable annually in equal installments bearing interest from the day of leasing and the lessee required to give bond with approved security for the deferred payments & Henry J. Morgan is appointed a Special Commissioner to execute this decree who before doing so is required to execute bond with security before the clerk of this court in the penalty of \$500 - with condition to account for all money he may receive in this cause and he will report his action to the court and the cause is continued.

Whelan & Ball

no. 3 Decm No 1

A E Crockett

Entered Pages 88 + 9

C.O.B no. 30

Entered
Dec. 7 1857
H. S. Kne

Wheeler & Ball

Plff

vs.

R. E. Crockett

Def

} In Chy

To the Hon H. B. K. Morison Judge of the Circuit Court
of Lee County Va.

On Tuesday Feb. 7 1888 that being court day
as I was about to proceed to send out the defendants and
to pay the debt and cost, heretofore decreed the plffs. in
this cause, the parties met and mutually settled the
debt and costs between themselves in the following manner

The deft. executed a new note bearing interest from date
payable Feb. 7 - 1889 for \$178.50 which includes principal
interest cost and commission, to the plaintiffs and the
said defendant then executed a deed of trust on his land
to secure the payment of said note on 12 months term
and this arrangement being satisfactory to the plaintiffs
this cause may be stricken from the docket.

From this statement it will be seen that I have not
received one farthing in money in this cause

Respectfully Submitted

Henry J. Morgan Clerk
Feb. 7 1888

Wheeler & Ball

vs. } Cant. Refert
}

Robt E. Brockett

Filed Feb 7 1888.

J. A. Hyatt c. c.

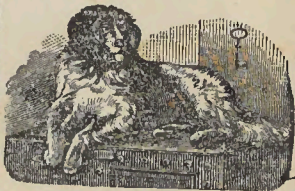
~~\$80.82~~

Feb. 23rd 1881.

Wheeler & Ball

One month after date I promise to pay to the order of
Eighty $\frac{82}{100}$

Dollars, for value received, and I hereby waive the benefit of my Homestead
and personal property Exemptions as to this debt. Witness
my hand and seal.



C. WILLOUGHBY Job Printer.

Attest
W. H. owner R. E. Crockett (SEAL.)
~~No~~ (SEAL.)

R. E. Crockett
to 3 mato
\$80.00 & 2

VIRGINIA--Lee County, to wit:

TO Niel Jinnings, Constable of said County

I Hereby Command You to Summon R. E. Crockett, if to be found

in your District, to appear at my office, in said County, on the 31 day of January 1887
before me or such other Justice of said County as may then be there, to try this Warrant: to answer the complaint of
Wheeler & Ball and upon a claim for money not exceeding \$100.00, exclusive of inter-
est, to wit: for the sum of \$ 80 82, due by note. And then and there make return
of this Warrant. Given under my hand the 27 day of January, 1887.

J. C. Vennoy, J. P.

Wheeler & Ball

Against.

R. E. Crockett

On the 31 day of January, 1887.
In Debt.

At my office, in said County.

JUDGMENT, That the plaintiff recover of the Defendant, \$ 80 82, with interest thereon from the 23
day of February, 1887, till paid, and \$ 100 for costs.

J. C. Vennoy, J. P.

VIRGINIA---Lee County To Wit:

TO _____, CONSTABLE OF SAID COUNTY:

I COMMAND YOU, In the name of the Commonwealth of Virginia, that of the goods and chattles of
_____, in your County, you cause to be made the sum of \$ _____ with in-
terest thereon from the _____ day of _____, 188 _____, till paid, which
has recovered before me in a Warrant in Debt, and also the sum of \$ _____ which were adjudged to said
_____ for costs in prosecuting said Warrant: Given under my hand _____ day of _____, 188 _____,

J. P.

Whelan & Ball

as { judge

R. E. Rosschett

(A)

Own about 150 acres
of land on station
Creek about 3 miles
East of S. B. A.

Virginia Lee County To wit

To Thiel Jinnings Constable of said County

I hereby Command you to summons R. E. Crockett if to be found in your District To Appear at Vannoy's office in said County on the 25 day of September 1885 before me or such other Justice of said County as may then be then to try this warrant to answer the complaint of J. H. Woodson upon a claim for money & for the sum of \$25 ⁶⁵/₁₀₀ cent due by note and then and there make return of this warrant Given under my hand the 3 day of Sep. 1885 J. C. Vannoy J.P.

J. H. Woodson } I debt

Vs

R. E. Crockett } 13 day of Sept 1885 at my office in said County
Judgment that the plaintiff recover of the defendant \$25 ⁶⁵/₁₀₀ with interest thereon from April the 8 day 1885 till paid and \$1 ²⁵/₁₀₀ cents for his costs J. C. Vannoy J.P.

Virginia Lee County To wit To Thiel Jinnings Constable

of said County I Command you in the name of the ^{wealth} common of Virginia that of the goods and chattels of R. E. Crockett you cause to be made the sum of \$25 ⁶⁵/₁₀₀ cent with interest thereon from April ~~the 8~~ ^{the 6} day 1885 till Paid which J. H. Woodson has record before me in a warrant in debt and also the sum of \$1 ²⁵/₁₀₀ cents which was adjudged to the said J. H. Woodson for costs in prosecuting his said warrant Given under my hand this 13 day of November 1885 J. C. Vannoy J.P.

J. H. Woodson

vs

R. E. Crockett

I assign the within
Judgment to W. G. Colson
Sept. 25th. 1886 -

J. H. Woodson

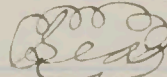
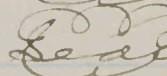
For value recd. I assign
the within judgment to
Whelan & Ball. Augt 31 1887

W. G. Colson

(B)

Know all men by these presents,
that we H. J. Morgan and J. A. G. Hyatt
are held and firmly bound unto the Commonwealth
of Virginia, in the just and full sum of three
Hundred Dollars, and for the prompt pay-
ment thereof well & truly to be made
unto the said Commonwealth we each
bind ourselves heirs &c and as to
this bond waive our Homestead
exemptions witness our hands &
seals this 6th day of February 1888.

The condition of the above bond
is such that whereas the above bound
H. J. Morgan was appointed Commissioner
in the Chancery Cause of Wheeler &
Ball vs R. E. Crockett at the ~~Autumn~~
Term 1887, and directed to make
sale of certain land mentioned in
the Bill, Now therefore should
the said Morgan truly account
for all money he may receive
in this cause, then this obligation
to be void otherwise to remain
in full force and virtue.

J. A. G. Hyatt 


Wheeler vs Ball
Court
vs Bond
Robert E Crockett

Filed Feb 17 1888
J A Hyatt

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Robert E. Crockett

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court
against *him* by *James M. Wheeler*

*and Moses S. Ball, late merchants & partners
in trade under the firm name and style
of "Wheeler and Ball,"*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *3rd* day of *October* 1887, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

(A.J.M.)

Wheeler & Ball

us ³ Spain Chey

Robert E. Crockett

Lo. Nav. Rules 1887

Executed

Nav. 2^d 1887.

S. H. Ewing L. C.